

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

Dianne Fletcher, individually and on behalf of all others similarly situated,

Plaintiff,

v.

VISA, INC.,

Defendant.

Case No.: 4:24-cv-00752-FJG

DECLARATION OF MATTHEW EISENSTEIN IN SUPPORT OF DEFENDANT VISA INC.’S UNOPPOSED MOTION TO TRANSFER VENUE

I, Matthew Eisenstein, declare as follows:

1. I am an active member in good standing of the bar of the District of Columbia, and

I am admitted to appear *pro hac vice* in the U.S. District Court for the Western District of Missouri for this case. I am a partner at the law firm of Arnold & Porter Kaye Scholer LLP, counsel for Defendant Visa Inc. (“Visa”) in this action. I submit this Declaration in support of Visa’s Unopposed Motion to Transfer Venue. I have personal knowledge of the facts set forth herein, and if called as a witness, I could and would testify competently to the facts contained herein.

2. Attached as **Exhibit A** is a true and correct copy of a complaint filed by the Department of Justice on September 24, 2024 in the U.S. District Court for the Southern District of New York (*United States v. Visa Inc.*, Case No. 1:24-cv-07214, ECF No. 1 (S.D.N.Y. Sept. 24, 2024)).

3. Attached as **Exhibit B** is a true and correct copy of a class action complaint filed by All Wrapped Up Signs & Graphix LLC on October 1, 2024 in the Southern District of New

York (*All Wrapped Up Signs and Graphix LLC v. Visa Inc.*, Case No. 1:24-cv-07435, ECF No. 1 (S.D.N.Y. Oct. 1, 2024)).

4. Attached as **Exhibit C** is a true and correct copy of a class action complaint filed by Nuts for Candy and Cathy Houts on October 21, 2024 in the Southern District of New York (*Nourijan Kevranian d/b/a Nuts for Candy et al. v. Visa Inc.*, Case No. 1:24-cv-07997, ECF No. 1 (S.D.N.Y. Oct. 21, 2024)). On November 6, 2024, the Nuts for Candy action was voluntarily dismissed, and the same Plaintiffs' counsel filed another complaint by Broadway Grill, LLC.

5. Attached as **Exhibit D** is a true and correct copy of a class action complaint filed by Yabla, Inc. on October 22, 2024 in the Southern District of New York (*Yabla, Inc. v. Visa Inc.*, Case No. 1:24-cv-08045, ECF No. 1 (S.D.N.Y. Oct. 22, 2024)).

6. Attached as **Exhibit E** is a true and correct copy of a class action complaint filed by NDA Aesthetics, LLC and Warren Imports, LLC on October 30, 2024 in the Southern District of New York (*NDA Aesthetics, LLC et al. v. Visa Inc.*, Case No. 1:24-cv-08269, ECF No. 1 (S.D.N.Y. Oct. 30, 2024)).

7. Attached as **Exhibit F** is a true and correct copy of a class action complaint filed by Broadway Grill, LLC on November 5, 2024 in the Southern District of New York (*Broadway Grill, LLC v. Visa Inc.*, Case No. 1:24-cv-8422, ECF No. 5 (S.D.N.Y. Nov. 5, 2024)).

8. Attached as **Exhibit G** is a true and correct copy of a class action complaint filed by Richard Pantano on October 22, 2024 in the Northern District of California (*Pantano v. Visa, Inc.*, Case No. 3:24-cv-07365, ECF No. 1 (N.D. Cal. Oct. 22, 2024)).

9. On November 22, 2024, counsel for Visa asked counsel for Plaintiff to stipulate to the transfer of this action to the Southern District of New York in the interest of judicial efficiency

and for the convenience of the parties and witnesses. On December 2, 2024, Plaintiff's counsel stated that Plaintiff consents to a transfer of this action to the Southern District of New York.

I declare under penalty of perjury under the law of the United States that the foregoing is true and correct. Executed this 2nd day of December, 2024 in Washington, D.C.

/s/ Matthew Eisenstein

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